



## **607.04 Contraband**

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### **607.04-1 Policy**

Policies governing searches for the control of contraband, rules governing contraband and the disposal of contraband, shall be published and made available to staff and inmates, and will be reviewed at least annually and updated if necessary.

### **607.04-2 Discussion**

No inmate, Detention Deputy, or other person shall bring, or cause to be brought into, or upon the property of a jail facility any article defined as contraband, without approval from the Jail Administrator or higher authority. Person's intentionally and willfully bringing contraband into a jail facility, or giving contraband to an inmate, may be prosecuted.

### **607.04-3 Contraband Defined**

Contraband is defined as any item in the possession of an inmate, or found within a jail facility, its grounds, or vehicles that have not been issued through regular institutional channels purchased through commissary, or approved by Jail Administration. Authorized items may also be considered contraband when found in excessive amounts, or if altered from its original condition. Items belonging to an inmate that are found in the possession of another inmate may also be considered contraband.

### **607.04-4 Contraband Control**

- I. Instances when inmates have access to contraband require close supervision by Deputies. Instances include:
  - A. Inmate workers issued tools to work;
  - B. Inmate visitation with attorneys or during contact visits;
  - C. Inmates outside of the facility (inmate workers or during transports);
  - D. During recreation.
- II. The principal method of controlling contraband is through properly conducted searches. Detention Deputies must continually search inmates, housing areas, and program areas.
- III. Searches will ensure that contraband will be found, or will prove that the area/inmates are free of contraband.
- IV. The Jail Administrator, or designee, shall:
  - A. Ensure proper contraband disposal methods are followed.

- B. Ensure actual contraband disposal is properly supervised and documented.
- C. Ensure members of the Hendry County Sheriff's Office (HCSO) do not personally benefit by being recipients of contraband items.

#### **607.04-5 Rules Governing Contraband**

- I. Inmates shall not possess nor have control of any firearm or item which may be construed to be a firearm; or any instrument normally and customarily used or designed to be used as a dangerous weapon or any explosive substance unless such item or tool was issued to the inmate through proper channels for work situations and used under the direct supervision of authorized Jail facility staff.
- II. No individual, whether inmate, staff member, or member of the community, unless authorized by the Sheriff, the Jail Administrator, or designee shall introduce or cause to be introduced into or upon the grounds of the facility any of the following articles which are hereby declared to be contraband. Contraband is described as follows:
  - A. Any firearm, tool, article or any other instrument customarily used or designed to be used as a dangerous weapon.
  - B. Any intoxicating beverage, or any single ingredient, which when mixed with other ingredients makes an intoxicating beverage.
  - C. Any narcotic, hypnotic, or excitative drug or substance prohibited by County, State, or Federal law.
  - D. Any item, article, piece, material, or instrumentality of any nature which could be used as an aid in effecting or attempting an escape.
  - E. Any other item, article, or substance specifically prohibited by the policies, rules, directives, procedures and guidelines of HCSO.
- III. FUNDS - Inmates shall not be permitted to possess money, checks, money orders, or any other legal tender.
  - A. Funds shall not be given to, or received by inmates unless authorized by the Sheriff, the Jail Administrator, or designee.
  - B. Funds found in the possession of an inmate shall be confiscated and will be deposited into the Inmate Welfare Fund.
  - C. Monies confiscated in a suspected theft will be sealed in a plastic evidence bag and submitted as evidence to the Investigating Deputy.
- IV. INTOXICANTS - Inmates shall not manufacture or possess alcohol or alcoholic beverage, or manufacture or possess any narcotic, barbiturate, or hallucinogenic drug; nor any central nervous system stimulant or substances prohibited by law except when authorized by contract health care staff.
- V. Contraband shall be categorized into 2 classes, handling and disposal shall be as directed for each category.

#### **607.04-6 Class "A" Contraband**

- I. Class "A" contraband is defined as any item or article that is criminal in nature, or poses a threat to the safety and security of the jail facility, its staff, and inmates.
- II. Class contraband includes, but is not limited to:
  - A. Guns/Firearms of any type
  - B. Ammunition or explosives
  - C. Knives and unauthorized tools

- D. Hazardous/poisonous chemicals/gasses
- E. Narcotics or drugs (except those authorized by contract health care services)
- F. Intoxicants
- G. Implements of escape (i.e. rope, handcuff keys, hammers, chisels)
- H. Tobacco products
- I. County property altered from original state
- J. Weapons

#### **607.04-7 Class "B" Contraband**

- I. Class "B" contraband is defined as contraband which is not designated Class "A". Class "B" contraband contains items within the general definition of contraband.
- II. Class "B" contraband includes, but is not limited to:
  - A. Lighters/Matches
  - B. Tobacco products
  - C. Tattoo paraphernalia
  - D. Unauthorized foods
  - E. Unauthorized goods or property
  - F. Currency
  - G. Property belonging to others
  - H. Property altered from original state
  - I. Excessive amounts of authorized items
  - J. Handmade craft items

#### **607.04-8 Handling and Disposition Procedures**

- I. Class "A" contraband:
  - A. Contraband shall be confiscated, photographed, and forwarded to the Shift Supervisor.
  - B. Effort shall be made to determine the inmate(s) in possession of, or responsible for the introduction of the contraband.
  - C. Incident Report shall be written.
  - D. Disciplinary Packet will be initiated as appropriate.
  - E. A thorough investigation shall be conducted to determine if the inmate should be charged with a criminal violation.
  - F. A Property Receipt shall be completed on all found contraband items resulting in criminal charges. Contraband items retained as evidence in criminal court cases shall be referred to the State Attorney's Office. Such contraband shall be held by the HCSO Evidence Custodian who will make final disposition arrangements after court procedures are completed.
- II. Class "B" contraband:
  - A. Contraband shall be confiscated, photographed, and properly disposed of.
  - B. Incident reports shall be written (when applicable) detailing items confiscated, names of inmate(s) involved, and disposition of the contraband.
  - C. Disciplinary Packet will be initiated (when applicable).
  - D. As applicable, a thorough investigation shall be conducted to determine if the inmate should be charged with a criminal violation. If the inmate is to be charged, a Property Receipt shall be completed on all found contraband items resulting in criminal charges.

Contraband items retained as evidence in criminal court cases shall be referred to the State Attorney's Office. Such contraband shall be held by the HCSO Evidence Custodian who will make final disposition arrangements after court procedures are completed.

E. DISPOSAL:

1. Contraband will generally not be placed in an inmate's personal property, except as noted in this directive, or as directed by the Shift Supervisor.
2. Confiscated currency - **see paragraph 607.04-5.**
3. Personal photographs, and magazines received via subscription, that are above authorized limits will be placed into the inmate's personal property. Photographs, magazine or newspaper clippings that display pornography or nudity shall be disposed of, and not placed into inmate property.
4. All other Class "B" contraband not covered above, and not being used as evidence in a disciplinary hearing or for criminal trial, will be disposed of in such a manner as to ensure that it is not re-introduced into housing/facility.
5. Contraband County property taken from an inmate, such as excess bedding, towels, uniform, shall be returned to the supply source if useable. Unserviceable bedding, towels, uniforms, or other such items will be destroyed, or placed in evidence, as applicable.

III. Class "A" and Class "B" contraband - All confiscated items shall be documented in the Control Book and Post Activity Log, Information recorded shall include:

- A. Brief description of the item(s) confiscated.
- B. Name of the inmate found in possession of the contraband or location found.
- C. Signature and ID number of the confiscating Deputy.
- D. Signature and ID number of the reviewing supervisor.

**607.04-9      Authorized Items**

The following items are approved for retention for both male and female inmates. This list is not all-inclusive as other items may be approved by the health care staff, Jail Administrator, or designee. Items are subject to removal by Shift Supervisors.

<b>Items</b>	<b>Limits</b>	<b>Restrictions</b>
Items purchased from contained in contract commissary the counter medication and	None	Must be services the inmates bunk except over

Over the counter medication	2 opened or sealed Packages	approved footwear. Purchased over the counter Authorized KOP medication
Approved footwear	Two (2) pair	
Bible/Koran (or single volume of recognized religious written doctrine	One (1)	Issued via Jail Chaplain
Photographs	10	Received via U.S. Mail No larger than 5"x7" No nudity or sexually explicit Shall not be displayed
Personal Letters	Reasonable Amount	
Legal Materials	Reasonable Amount	
Magazines sent from Publisher	Six (6)	
Books sent from publisher	Three (3)	
Eyeglasses	One (1)	
Eyeglass case	One (1)	
Contact Lenses	One (1) pair	
Contact Lens Case	One (1)	
Saline Solution	One (1)	
Hearing Aid	One (1) pair	
Writing paper	Reasonable Amount	
Pencils	Reasonable Amount	
Uniforms	Two (2) sets	
Shower Slides	One (1) pair	
Sheets	Two (2)	
Blanket (s)	One (1) or Two (2) during winter	

Mattress	One (1)
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### **JAIL ISSUED ITEMS**

Towel	One (1)
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Laundry Bag	One (1)
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### **REFERENCES**

State/Federal Regulations:  
Florida Model Jail Standards

FCAC:  
N/A

PREA:  
N/A

Forms:  
Incident Report  
Disciplinary Packet  
Property Receipt  
Control Book  
Activity Log

Other Policy/ Procedure References:  
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